

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Rabbani et al.
Application No. 08/978,632
Filed: November 25, 1997
Atty Docket No. ENZ-53(C)

OFFICE OF PETITIONS
Ms. Nancy Johnson
Senior Petitions Attorney
Confirmation No.: 4638

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST TO VACATE ORDER TO SHOW CAUSE WHY DECISION
REVIVING THIS APPLICATION SHOULD NOT BE VACATED**

Sir:

This is a Request to Vacate the Order to Show Cause Why Decisions Reviving Applications Should Not Be Vacated ("Order") issued in the above-captioned application. A Request to Expedite the treatment of this Petition and a Petition to Expunge are being submitted separately.

Petitioner respectfully urges that no fees are due because the Show Cause Order was improperly issued. Nevertheless, should the USPTO determine that any fees are required to have the Order vacated, including any extension of time fees, the USPTO is authorized to charge Deposit Account No. 50-2929, making reference to Docket Number J10012.

Background

The instant application became abandoned on August 21, 2002, for failure to reply to the
final Office Action of May 20, 2002. A Notice of Abandonment was mailed on January 7,
2003.

06/09/2003 LDI EP1 00000002 502929 08978632
01 FC:1462
02 FC:1233 400.00 DA
1110.00 DA

D. Conclusion

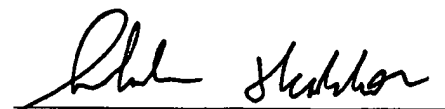
In view of the above remarks, early notification of a favorable consideration is respectfully requested.

Respectfully submitted,

HERSHKOVITZ & ASSOCIATES, LLC

Dated: November 19, 2008

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